



UNITED STATES MARINE CORPS
MARINE CORPS RECRUIT DEPOT/WESTERN RECRUITING REGION
SAN DIEGO, CALIFORNIA 92140-5001

DepO 12792.5
1F

2 2 NOV 1996

DEPOT ORDER 12792.5

From: Commanding General
To: Distribution List

Subj: DRUG-FREE WORKPLACE PROGRAM (DFWP) FOR CIVILIAN EMPLOYEES

Ref: (a) SECNAVINST 12792.3 (NOTAL)
(b) CPI 792-3 (NOTAL)
(c) MCO 12792.1 (NOTAL)
(d) MLA BTN AFGE & USMC (NOTAL)

Encl: (1) Voluntary Self Referral for "Safe Harbor"
(2) Random Drug Testing Program Checklist for Employees
(3) Random Drug Testing Program Checklist for Supervisors
(4) Sample Format - Documentation in Support of Reasonable Suspicion Testing
(5) Sample Format - Reasonable Suspicion Test

1. Purpose. To publish policies and procedures implementing the Department of the Navy (DON) policy on the Drug-Free Workplace Program (DFWP) as set forth in references (a) through (d).
2. Policy. The United States Marine Corps and this Depot will not tolerate the possession, use, or distribution of illegal drugs and are committed to the eradication of them in the workplace. A drug-free environment is essential to mission accomplishment. The use of illegal drugs, or unlawful use of prescription drugs, undermines the quality of job performance, endangers the safety of others, and brings discredit to the United States Marine Corps. Such use may result in disciplinary action, including removal from Federal Service.
3. Background. Executive order 12564 establishes a goal of achieving a drug-free workplace and make it a condition of employment for all federal employees to refrain from using illegal drugs on or off duty. Reference (a) sets forth the DON policy and responsibilities for DFWP implementation. The Secretary of Health and Human Services has certified the DON DFWP as meeting the requirements of Public Law 100-71.
4. Guidelines
 - a. The list of DON testing designated positions (TDPs) set for in reference (b) was used to identify and designate positions that will be subject to random testing.
 - b. An employee found to use illegal drugs must be referred to the Civilian Employee Assistance Program (CEAP). Disciplinary action will be initiated against any employee for the first instance of illegal drug use. However, an employee who voluntarily seeks treatment for

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illegal drug use and meets the "safe harbor" conditions set forth in reference (b) will not be subject to discipline for the admitted acts of illegal use, including possession incident to such personal use. "Safe harbor" will not be granted to drug dealers or those involved in other drug-related misconduct.

c. Employees occupying TDPs and subject to random testing must immediately be removed from the TDP through appropriate personnel action if they test positive for illegal drug use.

(1) The employee shall be assigned to a non-TDP, if available.

(2) The Depot may return the employee to duty in a TDP as part of a rehabilitation and counseling program if it would not endanger public health, safety or national security and if recommended by the Drug Program Coordinator (DPC), the Medical Review Officer (MRO), CEAP personnel and the employee's immediate supervisor.

d. Drug abuse or addiction may not be used as an excuse for misconduct or less than fully satisfactory work performance.

e. The Commanding General will appoint, in writing, a DPC with delegated authority to conduct random testing and ensure the availability of an MRO or adequate funding to provide services in support of this program. Additionally, the Commanding General will retain the authority to reinstate an employee found to be using drugs to a sensitive position only after it has been determined that to do so will not endanger public safety or compromise confidential information.

5. Action

a. The DPC shall:

(1) Coordinate all testing, including applicant testing.

(2) Compile and maintain a list of TDPs with the help of the Human Resources Office (HRO).

(3) Issue individual notices on behalf of the Commanding General to employees occupying TDPs at least 30 days prior to requiring the employee to be subjected to the first random test.

(4) Provide mandatory training for supervisors/managers.

(5) Provide training and publications to employees on drug awareness, the hazards of illegal use, the CEAP, and safe harbor provisions.

(6) Receive and maintain drug test results.

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(7) Arrange for applicant testing and authorize the HRO to make final offers of employment for TDPs based on applicant test results.

(8) Notify tested employees, in writing, of negative drug test results.

(9) Notify CEAP Administrator, the supervisor, and the Director of HRO of an employee's positive test result.

(10) Authorize deferrals of random and follow-up testing.

b. The MRO shall:

(1) Receive and review all drug testing results from the Navy Drug Screening Laboratory (NDSL) and immediately forward all negative drug test results to the DPC.

(2) Conduct a medical review of positive test results. The purpose of the review is to determine if the positive test result is evidence of illegal drug use. The MRO will evaluate alternative medical explanations of a positive test result which may include a medical interview with the employee, or applicant; review of the individual's medical history, or consideration of other relevant biomedical factors.

(3) Request medical information directly from the employee, or applicant, to ensure maximum confidentiality. The MRO will obtain the information necessary from the DPC to contact the individual.

(4) Be allowed at his/her discretion to accept evidence in the manner deemed most efficient or necessary. If the MRO determines there is no medical justification for the positive result, such result will be considered a verified positive test result.

(5) Forward the report of the verified positive test result to the DPC.

c. The HRO shall:

(1) Issue copies to new hires of the General Notice signed by the Secretary of the Navy regarding the DFWP.

(2) Maintain records required of merit promotion procedures, placement actions, and personnel actions taken against employees for illegal drug use.

(3) Maintain a list of all applicants who applied for TDPs and tested positive for drug use within the last six months.

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(4) Review all positions for inclusion in TDP pool and notify the DPC when TDPs are established/abolished.

(5) Ensure vacancy announcements include a statement to the effect that a TDP is subject to random testing.

(6) Assist the DPC in maintaining an accurate/updated list of TDPs

(7) Notify the DPC when positive specimens must be retained for more than the normal one year.

(8) Recommend appropriate disciplinary action to the supervisor of each employee with a verified positive test result.

(9) Notify the appropriate head of Naval or Marine Corps Activity/Command that his/her employee has a verified positive drug test as determined under applicant testing.

d. Employee shall:

(1) Refrain from illegal use of drugs both on and off-duty.

(2) Provide a urine sample when required.

(3) Be responsible for the successful completion of any rehabilitation or treatment required as a result of illegal use of drugs.

e. Supervisors shall:

(1) Notify individual employees of a scheduled drug test.

(2) Request deferral from the DPC of an employee's random or follow-up drug test, if required.

(3) Initiate a reasonable suspicion test in accordance with the procedures outlined in paragraph 6d(3). The reasons for initiating a reasonable suspicion test will be documented and the HRO contacted for assistance.

(4) Initiate an accident/unsafe practice test in accordance with the procedures outlined in paragraph 6d(4) of this Order.

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(5) When notified of an employee's positive test result by the DPC or HRO, refer the employee to the CEAP Administrator for assistance in obtaining counseling and rehabilitation.

(6) Follow up with the CEAP Administrator to ensure the employee's participation and completion of treatment/rehabilitation.

(7) Initiate appropriate administrative and disciplinary actions.

(8) Not select for any position an applicant who has had a verified positive test result within the last six months.

6. Program Provisions. The DFWP is a comprehensive program balanced between offering assistance to employees who are using drugs illegally and at the same time, making clear that illegal use of drugs will not be tolerated. To accomplish these goals, the DFWP shall provide the following:

a. CEAP. A strong CEAP emphasizing employee education, counseling, and referral to rehabilitation.

b. Training. Mandatory supervisory training to assist in identifying and addressing illegal drug use.

c. Safe Harbor. A "safe harbor" for any employee who voluntarily admits his/her drug use prior to management discovering such use through other means. "Safe harbor" insulates the employee from discipline for admitted acts of using illegal drugs when the activity is unaware of such use. "Safe harbor" will be offered to any employee who meets all of the following conditions:

(1) Voluntarily identifies oneself to the Commanding Officer via the immediate supervisor, DPC, or Employee Relations Specialist as a user of illegal drugs prior to being identified through other means.

(2) Obtains counseling and rehabilitation through the CEAP.

(3) Agrees to be tested by the activity as a part of/follow-up to counseling and rehabilitation.

(4) Consents, in writing, to the release of all counseling and rehabilitation records related to the illegal use of drugs to appropriate management and CEAP officials.

(5) Subsequently refrains from use of illegal drugs.

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(a) An employee who admits to drug use after notification of being scheduled for a test, or just after a sample has been collected, or who is found to be using drugs on the basis of other appropriate evidence (e.g., direct observation or evidence obtained from an arrest or criminal conviction) is not eligible for "safe harbor". "Safe harbor" is for users of illegal drugs, not drug dealers or those involved in other drug related misconduct.

(b) An employee who meets the "safe harbor" criteria shall be advised that he/she will not be subjected to discipline for the admitted acts of use of illegal drugs, including possession incident to such personal use. However, if the employee occupies a TDP subject to random testing, he/she must be immediately removed from that position until a determination has been made that to reinstate the employee would not endanger public safety or compromise confidential information.

d. Types of Testing. Identification of illegal drug users includes carefully controlled and monitored testing with maximum respect for individual confidentiality consistent with safety and security. The program includes the following six types of drug testing:

(1) Random Testing. Random testing of employees in TDPs is performed without individualized suspicion that the employee is using illegal drugs.

(a) The DPC is authorized to conduct random tests by the Commanding General and shall not exceed established quotas as stated in reference (c).

(b) The DPC shall select the method utilized to assure a true random selection and will maintain full documentation on the method of selection. Under no circumstance will an employee who does not appear on the list be tested.

(c) The DPC shall arrange the schedule and attempt to schedule employees for testing during the first half of their shift, if possible.

(d) The DPC shall notify the selected employee's first-level supervisor when an employee is selected for random testing. If the first-level supervisor is unavailable, the next higher supervisor should be contacted to notify the employee.

(e) Approximately 15 to 30 minutes prior to scheduled collection, the supervisor shall privately inform the employee of the exact time and location of the test. In the event the collection site is distant from the work site, appropriate arrangements (not longer than 60 minutes) shall be made to the notification time by the supervisor.

(f) The supervisor shall advise the employee that he/she is under no suspicion of taking drugs and that the employee's name was randomly selected. The supervisor must respond to any questions the employee may ask in order to avoid any possible future misunderstanding. The employee shall be provided a copy of enclosure (2) of this order.

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(g) The employee is required to bring an appropriate photo identification to the test site.

(h) If a deferral is required, the DPC shall be notified as soon as possible in accordance with the procedures outlined in paragraph 5f(2) of this order.

(2) Applicant Testing. Applicant testing of tentative selectees for TDP is performed prior to a final employment offer or position placement.

(a) Drug testing shall be required of any individual tentatively selected for, or placed in, a TDP unless only a temporary position change (not more than 30 days) is involved, or the individual currently occupies a TDP.

(b) Only applicants for TDP shall be tested. The HRO shall notify the DPC as soon as possible when a drug test needs to be scheduled for a tentative selectee. The DPC shall arrange for the test and inform the HRO of the date, time, and place of test.

(c) The HRO shall provide this information to the individual who is to be tested at the time the tentative offer is made. The test must be undertaken not later than 48 hours after notification to the applicant.

(d) To avoid unnecessary travel expenses, when both a gaining and losing activities are within the community of the DON, the losing activity shall arrange for the test.

(e) The MRO shall notify the DPC of the test results. Applicants are provided the opportunity to justify a positive test result in accordance with the procedures outlined in paragraph 5c of this Order. A final offer of employment shall not be made unless authorized by the DPC. If the result is negative, the HRO shall document the test result in the selection package so the process can continue.

(f) If an applicant has a positive test result, the DPC shall notify the HRO so another tentative selection can be made.

(g) The HRO shall notify the applicant that the verified presence of a drug in his/her urine precludes the activity from hiring or placing the applicant in the TDP. Also, the HRO shall advise the applicant that he/she will not be considered for any other vacancies (including non-TDP) by the activity for a period of six months from the date the positive test result was verified by the MRO. The HRO shall notify the applicant's supervisor if the vacancy was at the Depot. If the applicant is an employee from another DON activity, the HRO shall notify the head of the employee's activity.

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(3) Reasonable Suspicion Testing. Reasonable suspicion testing of employees is based on a reasonable suspicion that the employee used or uses illegal drugs. Although reasonable suspicion does not require certainty, mere "hunches" or "rumors" are not sufficient to initiate testing. Therefore, this suspicion must be based on specific objective facts and reasonable inferences drawn from these facts, such as:

- (a) Observable phenomena, such as direct observation of drug use or possession of and/or the physical symptoms of being under the influence of a drug.
- (b) A pattern of abnormal conduct or erratic behavior.
- (c) Arrest or conviction for an on/off-duty drug-related offense, or the identification of an employee as the focus of a criminal investigation into possession, use, or trafficking of illegal drugs.
- (d) Information provided either by reliable and credible sources, or independently corroborated.
- (e) Newly discovered evidence that the employee has tampered with a previous drug test.
- (f) The temperature or color of the urine sample, or other evidence, indicates probable adulteration, tampering, or substitution.
- (g) Approval for Reasonable Suspicion testing shall be made by the next higher level supervisor.

(4) Accident/Unsafe Practice Testing. Accident/unsafe practice testing which may be required following an accident or other safety related incident. The DON is committed to providing a safe and secure work environment. Any employee involved in an on-the-job accident, or who engages in unsafe on-duty, job-related activity, which requires medical treatment or hospitalization, or results in death or damage to property, may be subject to drug testing. Approval for Accident/Unsafe Practice Testing will be made by the next higher level supervisor.

(5) Voluntary Testing. Voluntary testing is testing of employees who volunteer to be included in the TDP pool but who would not otherwise be subject to random testing.

(a) An employee, regardless of position, may volunteer to be included in the random testing program. The request shall be submitted through the immediate supervisor to the DPC, providing name, social security number, gender, position title, series, grade, and organization within duty station.

(b) The DPC shall forward an acknowledgment letter to an employee requesting

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voluntary testing within 10 working days of receipt of such a request.

(6) Follow-up Testing. Follow-up testing of employees as part of, or follow-up to, a rehabilitation or counseling program.

(a) Follow-up testing is separate from the regular random testing conducted.

(b) The DPC may elect to impose testing as part of the rehabilitation or treatment program.

(c) The employee shall be tested for a period of one year or for such time as specified in an abeyance agreement, rehabilitation plan, or other written agreement.

e. Employees and applicants will be tested for cocaine, cannabis (marijuana), amphetamines, opiates, phencyclidine (PCP) and/or the meta of these drugs. Employees or applicants shall also be tested for any other drugs, or class of drugs, subsequently approved by the Department of Health and Human Services. The DON is also authorized to test for any drug in Schedules I and II of the Controlled Substance Act (CSA) in cases of reasonable suspicion, and after the accident or unsafe practice.

f. Generally, an employee subject to testing shall be permitted to provide a urine specimen privately in a restroom stall, or similar enclosure, so that he/she is not visibly observed while providing the sample. Collection site personnel of the same gender shall escort the employee or applicant to the restroom and remain outside the stall during the test. The DPC shall authorize collection under direct observation only in the following circumstances when:

(1) The individual is being tested based on reasonable suspicion.

(2) Facts and circumstances suggest that the individual is under the influence of drugs at the time of the test.

(3) The individual has previously been found to be a user of illegal drugs, and is undergoing follow-up testing. This includes an employee with a "safe harbor" agreement.

(4) Facts and circumstances suggest that the individual has equipment, or materials capable of tampering with or adulterating a urine sample.

(5) The individual has previously tampered with a sample, or has just given a specimen and the temperature measurement indicates possible adulteration/substitution.

g. Should an individual fail to appear at the collection site at the assigned time, the DPC shall immediately notify the supervisor. The employee shall then be subject to the same range of discipline as a verified positive test result for use of illegal drugs. There is no requirement for

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referral to CEAP. An applicant's failure to appear for a test shall result in the cancellation of any tentative offer of employment.

h. If an employee refuses to be tested, he/she shall be informed that refusal will be considered failure to follow a direct order, and shall result in the same range of discipline as a verified positive test result. Should the refusal occur at the work collection site, the DPC shall immediately notify the supervisor. There is no requirement for referral to CEAP. An applicant's refusal to be tested shall result in the cancellation of any tentative offer of employment.

i. If the collection extends beyond the end of the employee's regular shift, the following options may be used, at the discretion of the DPC, following a discussion with the employee's supervisor:

(1) Require the employee to remain at the collection site and pay overtime, or give compensatory time as the situation may warrant.

(2) Release the employee. No special test will be scheduled.

j. A deferral of an employee's random drug test may be authorized by the DPC, when required by the employee's first level supervisor with higher level concurrence. The DPC will reschedule the employee for unannounced testing within the next 60 days. A request for deferral must be made on the basis of a compelling need that the employee is:

(1) In a non-duty status such as annual leave, sick leave, suspension, absence without leave, or in a continuation of pay status, etc.

(2) In an official travel status away from the work site or is about to embark on official travel scheduled prior to testing notifications.

(3) Working on a different shift.

(4) Performing a task or project that requires the employee's presence at the work site during the time the test is scheduled.

7. Confidentiality of Test Results. The NDSL shall disclose test results only to the MRO. Any positive test result which the MRO determines to be justified by legitimate medical use shall be treated as negative test result and will not be released for purposes of identifying illegal drug use. Test results are governed by the provisions of the Privacy Act. An employee's test results may not be disclosed without prior written consent of the employee, unless the disclosure would be:

a. To the MRO.

b. After MRO review to the DPC.

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- c. By the CEAP Administrator for purposes of counseling and rehabilitation.
- d. By the DPC to any supervisor or management official having the authority to recommend, decide, or process an adverse personnel action against the employee.
- e. Under an order of a court of competent jurisdiction, or required by the United States Government to defend against a challenge against an adverse personnel action.
- f. Any records of the MRO, including drug test results, may be released to any management official for purposes of auditing activities of the MRO, for data collection or other purpose as required. This form of disclosure may not include personal identifying information on any employee.

8. Consequences of a Finding of Illegal Drug Use

a. Mandatory Administrative Actions. Prior to initiating any action against an employee, management officials and supervisors shall secure guidance from the DPC in consultation with the HRO and legal counsel, if appropriate. Upon a verification of a first positive drug test, or first determination of illegal drug use, the following actions shall apply:

(1) Position Actions. If the employee occupies a sensitive position, the employee must immediately be removed from the position through appropriate personnel action (i.e., detail or reassignment) and placed in a non-sensitive position, if available.

(2) Disciplinary Actions

(a) The supervisor shall issue a proposed removal letter that will refer the employee to the CEAP and offer the employee an opportunity to enter a rehabilitation/abatement program. The employee shall be charged with illegal drug use.

(b) If the employee agrees in writing to accept the offer of rehabilitation/abatement, the employee shall be informed that his/her removal will be held in abeyance pending successful completion of the rehabilitation/abatement program.

(c) The Commanding General may return the employee to duty in a sensitive position as part of a rehabilitation and counseling program, if it would not endanger public health, safety, and National security.

(d) If the employee refuses the offer of rehabilitation/abatement, the deciding official shall process with the issuance of a final decision letter on the proposed removal.

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(3) Second Verified Positive Drug Test or Second Determination of Illegal Drug Use

a) Upon the supervisor's receipt of a second verified positive drug test, or a second determination that an employee uses illegal drugs, removal of the employee from Federal Service is mandatory.

(b) The supervisor shall initiate action to remove an employee from Federal Service for such cause as will promote the efficiency of the service. The employee shall be charged with failure to refrain from the use of illegal drugs. The employee will not be offered a second opportunity to enter a rehabilitation/abatement program.

9. TDP Designations. An employee who believes his/her position has been wrongly designated as a TDP may request review of that determination as follows:

a. Non-bargaining Unit Employees. The request must be submitted by the employee in writing to the Commanding General, via the DPC, within 15 days of receipt of the individual notice. It must set forth the reasons why the employee believes the position should not be a TDP, and include all other relevant information. The Commanding General, or his designated representative, shall review the request based upon the criteria applied in designating the employee's position as a TDP and issue a final written decision. This decision is not subject to further review, nor is it grievable under the administrative grievance procedures.

b. Bargaining Unit Employees. A bargaining unit employee covered by a collective bargaining agreement who seeks review of the designation of his/her position as a TDP must grieve the designation under the negotiated grievance procedure, provided the agreement does not exclude these decisions from that procedure.

c. Seeking review of the TDP determination will not exempt an employee from random testing during the review process or negotiated grievance procedure.

d. The union will be provided information concerning the general drug-testing process and the chain of custody.

10. Reasonable Accommodation Requirements. Casual or occasional use of drugs is not a handicapping condition requiring the invocation of the Rehabilitation Act of 1973. To be entitled to reasonable accommodation, the employee must establish that he/she suffers from a handicapping condition. Further, even if the employee established that he/she is handicapped by a legitimate drug addiction, reasonable accommodation is only required if the employee is an "otherwise qualified" handicapped individual.

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11. Action. All activities shall comply with the policy and procedures contained in this order.

A handwritten signature in black ink, appearing to read "J. M. Guerin".

J. M. GUERIN
Chief of Staff

DISTRIBUTION: F

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VOLUNTARY SELF REFERRAL FOR "SAFE HARBOR"

1. Executive Order 12564 allows agencies to provide an opportunity for assistance to those employees who voluntarily seek treatment for drug use. "Safe Harbor" insulates the employees from discipline for admitted acts of using illegal drugs when the agency is unaware of such use. The Department of the Navy will offer such a "safe harbor" for any employee who meets all of the following conditions:

- a. Voluntarily identifies himself or herself as an illegal user of drugs to a supervisor or higher level management official prior to being identified through other means.
- b. Obtains counseling and rehabilitation through the Civilian Employee Assistance Program (CEAP).
- c. Agrees, in writing, to be tested by the activity/command as part of or as a follow-up to counseling and rehabilitation.
- d. Consents, in writing, to the release to appropriate management and CEAP officials of all counseling and rehabilitation records related to illegal use of drugs.
- e. Subsequently refrains from illegal use of drugs.

All of these conditions must be documented in the agreement between the employee and the activity/command.

2. An employee who admits to drug use after being notified that he or she is scheduled for a test or just after a sample is collected, or who is found to use drugs on the basis of other appropriate evidence (e.g., direct observation or evidence obtained from an arrest or criminal conviction) is not eligible for "safe harbor". For example, an employee arrested over the weekend on drug related charges is released and reports to work as usual on Monday requested "safe harbor." Since the activity/command is unaware of the arrest, it signs the agreement. A "safe harbor" agreement signed under these circumstances will be considered invalid and obtained by the employee under false pretenses. Further, "safe harbor" is for illegal use of drugs, not drug dealers or those involved in other drug related misconduct.

3. An employee who meets the "safe harbor" conditions will not be subject to discipline for the admitted acts, illegal use of drugs, including possession incident to such personal use. However, if the employee occupies a sensitive position subject to random testing, he or she must immediately be removed from the position until a determination has been made that to reinstate the employee would not endanger public health, safety, or national security.

ENCLOSURE (1)

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RANDOM DRUG TESTING PROGRAM
CHECKLIST FOR EMPLOYEES

You have been identified through a process of random selection for drug testing by urinalysis. Your selection for such drug testing in no way reflects that this activity has any specific cause to suspect your usage of illegal drugs. Please take a few minutes to read the following information, which describes your responsibilities in the collection process:

1. Report at the time and location instructed by your supervisor.
2. Present required photo identification to the collector.
3. When instructed by the collector, provide the information required in the Permanent Record Book. On this form, you may list any prescription and over-the-counter drugs that you use.
4. Remove any unnecessary outer garments (e.g., coat, jacket, overalls). All personal belongings (e.g., purse, briefcase) must remain with your outer garment (s). You may retain your wallet.
5. When instructed by the collector, wash and dry your hands.
6. You may provide the specimen in the privacy of a stall or otherwise partitioned area that allows for individual privacy. It will be necessary for you to provide a specimen of a least 60 milliliters. If you are unable to provide a sufficient quantity of urine, you will be asked to drink sufficient fluids to facilitate urination. You will be required to remain at the collection site in the presence of the Drug Program Coordinator (DPC)/Collection Site Coordinator (CSC) until the sample is provided.
7. You should observe the entire collection procedure.
8. When instructed, read and sign the statement in the Permanent Record Book that certifies that this is your urine specimen.

If you have any questions or concerns, share them with your supervisor, the DPC or the CSC.

ENCLOSURE (2)

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RANDOM DRUG TESTING PROGRAM
CHECKLIST FOR SUPERVISORS

On the actual date that random drug testing is scheduled to be conducted, the Drug Program Coordinator (DPC) or Collection Site Coordinator (CSC) will notify you which of your employees have been selected for drug testing and the proposed schedule. This information is confidential. The following procedures should be followed in notifying employees of the collection process:

1. Approximately 15-30 minutes prior to the actual collection, inform the employee verbally and privately that he/she has been identified through a random selection process for drug testing by urinalysis. Clearly inform the employee of the time and exact location to report for testing and instruct him/her to take photo identification.
2. Employees normally will be scheduled to report to the collection site at 15-minute intervals. Coordinate any scheduling changes necessary to maintain work operations closely with your supervisor and the DPC/CSC. Do not make any unilateral changes.
3. Advise employees to be prepared to provide a urine specimen at the scheduled collection time.
4. You may provide the Checklist for Employees which offers helpful information about the collection process to scheduled employees.
5. When an employee selected for random testing is unavailable for legitimate reasons (e.g., working a different shift, travel, leave), you must inform the DPC/CSC. Once an employee has been notified of testing, any leave requests submitted for the same time as the test should be carefully scrutinized.
6. Immediately report any problems encountered during employee notification to the DPC/CSC. Employees who fail to cooperate with the collection procedures will be subject to disciplinary action consistent with Department of the Navy regulations (you may obtain guidance from the Employee Relations Specialist, HRO in these instances).

If you have any questions, you should contact the DPC.

ENCLOSURE (3)

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SAMPLE FORMATDOCUMENTATION IN SUPPORT OF
REASONABLE SUSPICION TESTING

Date _____

Employee Name: _____ SSN _____

Organization: _____

Date of Incident: _____

Time of Incident: _____

Description of the incident leading to the request: (Be specific, e.g., for reasonable suspicion, arrest or conviction of an on- or off-duty drug-related offense; direct observation of an employee using illegal drugs; direct observation of an employee tampering with his/her urine specimen; temperature of urine sample outside the normal range).

Individuals witnessing the incident: (Be specific, use name, title, organization, relationship to person being tested, e.g., co-worker, police officer, spouse, etc., of individual providing information on a drug-related incident).

Name	Organization
_____	_____

Any other pertinent facts or attachments (list):

Enclosure:

Documented By:

Name (print): _____
(supervisor requesting testing)

Title (print): _____

Signature: _____

Date: _____ Extension: _____

I have reviewed the above details and facts supporting an incident of suspected illegal drug use relevant to the requested test and concur.

(signature of second/highest level supervisor)

Date: _____ Extension: _____

ENCLOSURE (4)

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SAMPLE FORMAT - REASONABLE SUSPICION TEST

UNITED STATES MARINE CORPS
MARINE CORPS RECRUIT DEPOT/WESTERN RECRUITING REGION
SAN DIEGO, CALIFORNIA 92140-5003

12792

From: (Supervisor or Management Official)

To:

Subj: NOTICE OF REASONABLE SUSPICION TESTING FOR ILLEGAL DRUG USE

1. The Department of the Navy has initiated a comprehensive program to achieve the goal of a drug-free workplace. This program is set forth in SECNAVINST 12792.3, Civilian Personnel Instruction (CPI) 792.3, MCO 12792.1, and DepO 12792.5.

2. It has been determined that sufficient grounds exist to authorize collection of a urine sample from you on the basis of reasonable suspicion. This drug test is required since management has formed a reasonable suspicion that you are using illegal drugs. Collection procedures under reasonable suspicion testing will require you to provide a specimen under direct supervision.

(NOTE: As an immediate follow-up procedure to the test, the appropriate supervisor or management official will detail, in writing, the circumstances which warranted the test and forward the supportive documentation to the DPC. Enclosure (4) provides a sample format for submission for this documentation.)

3. Drug testing for Department of the Navy civilian employees is performed through urinalysis done by a Navy Drug Screening Laboratory. The testing methodology complies with guidelines issued by the Department of Health and Human Services and reflects the scientific and technical procedures necessary to ensure that the results are highly reliable and accurate. These procedures will include an initial screening of the urine sample you provide for the presence of illegal drugs and, if appropriate, a confirmation by gas chromatography/mass spectrometry.

4. To ensure that the sample collected from you is not accidentally confused with any other sample, strict procedures will be used when collecting and transferring the sample. These procedures are known as the chain of custody. The test results from your sample will be handled with maximum respect for individual confidentiality consistent with safety and security. A confirmed positive test result reported by the laboratory will be reviewed by a Medical Review Officer (MRO) before a determination is made that you have used illegal drugs. MROs are licensed physicians with experience in substance abuse disorders. You will be given an opportunity to submit medical documentation to the MRO to establish your legitimate use of the specific drug (s) detected by testing before any administrative action is taken.

ENCLOSURE (5)

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5. If it is determined that you are using illegal drugs by means of this drug test or other means, you will be referred to the Civilian Employee Assistance Program (CEAP) Administrator, Human Resources Office, Marine Corps Recruit Depot, San Diego. Through this program, you will receive counseling and learn about the availability of sources of treatment and rehabilitation assistance. Information concerning the CEAP may be obtained from your immediate supervisor or by contacting the CEAP administrator, Human Resources Office, commercial (619) 524-6914, DSN 524-6914.

6. If you are employed in a sensitive position, as defined in CPI 792.3, and illegal drug use is detected, you will be immediately taken out of your position by detail, reassignment or other personnel action. You may be returned to your sensitive position by (activity head/commander), at the completion of or as part of your successful participation in a rehabilitation or counseling program. In addition, disciplinary action up to and including removal from the federal service will be initiated if you refuse to submit to this drug test. A removal action will be initiated if you refuse to obtain counseling or rehabilitation through the CEAP after being found to use illegal drugs or for a second finding of illegal use.

7. If you have other questions, please contact Drug Program Coordinator, extension 4-1912

Immediate Supervisor

Second/Higher Level Supervisor

Copy to:
DPC

ENCLOSURE (5)